NEW YORK TERALD, HOYOLY MARCH ME, JEEL THE NEW YORK HERALD.

WHOLE NO. 6786.

MORNING EDITION-MONDAY, MAROH 26, 1855.

PRICE TWO CENTS.

SANTA ANNA'S SWISS BODY GUARD.

distence of the Scheme Authenticated

Interesting Official Documents,
It will be recollected that at the time of the ratification of the Gadsden treaty, it was currently reported
and believed that a portion of the \$10,000,000 to be paid
by this government to Mexico, was to be appropriated to
the enlistment, organization, and transportation to Mexico. the enlistment, organization, and transportation to Mex-ico of some Swiss regiments, to serve as Santa Anna's private body-guard. This story gained currency, and attracted attention as well in Europe as in the United States. But the matter was then set at rest by the pubication in one of the Paris journals—la Patrie letter from the Mexican Minister to France, Senor Jose Ramon Pacheco, denying, in the most positive manner, the truth of the statements that had been made. The dited by the public. We have recently, however, come into possession of an official document, of which this same Senor Pacheco is the author, which faisifies his Highness, the President of the Mexican republic. This highly interesting diplomatic papers which have been published in self-defence by Sener Arrangois, who had seted as special agent in the matter of the ten millions. and with whom the Mexican government is at feud in regard to the commission which he thought proper to withhold in remuneration for his services. There are some forty State papers in the collection, all of more or es interest; but we only select those in relation to the Swiss body guard.

dressed by Senor Pacheco to the Patric. It is No. 24 in

Swiss body guard.

We give first a translation of the communication addressed by Senor Pacheco to the Patrie. It is No. 24 in the list, and reads as follows:—

Messas. Entrons.—I request that you will publish in your esteemed journal the following has:—

The Swiss journals have been recently occupied with a pretended project of clandestine enliament of regiments intended to be sent to Mexico, for the purpose of forming an escort to the President, who designs, it is asid, to have himself declared Emperor. In this connection my visit to the cantons is spoken of, and Colemel Sulsberger is pointed out as one of the persons with whom I have had an unnerstanding.

For the purpose of correcting public opinion, I must say that I have not gone to Switzerland incognito, or concealing my rank. I have had the homor of conferring with the Swiss authorities on the convenience which would result to both countries from the establishment of a system of emigration; Mexico requiring population in her vast territory, and Switzerland not being able from year to year to supply ber surplus population with food. I have had occasion to explain that Mexico inda herself under the necessity of guarding her immense frontiers, frequently invaded by the native tribes; and that, therefere, it was right that the emigrants who should never the share to single which is not contarry to the laws of Switzerland. Besides, this would be a measure of security for the families and for all those who might hereafter desirs to emigrate there. The Swiss antion, and its citizens, are especially exteemed in Mexico, in the word of the proportionity of both mations of that had not previously consulted in this matter, the Mexican Consular agent in Switzerland, but I have done nothing in the way of forming a contract with that gentleman.

The purpose which, in these journals, is attributed to the project o

THE MINISTER OF MEXICO IN FRANCE. So wrote Senor Pachero to one of the journals of the ench metropolis. Now let us compare the foregoing blished statements with the following diplomatic note nited States, to Senor Arrangoiz, the special commis-ouer to receive the first instalment of the \$10,406,000 nder the Gadaden treaty. It will be seen that there is

When the second of the second

"Your Escellency—I have received, under date of lat fully last, the following instructions from his Excellency the Hisister of Foreign Affairs:—
"Your Freeliency—Owing to the fact that the pending realy with fine United States has been exchanged in Washington, thanks to the disposition manifested oy that government for its ratification, and to the instructions on the subject given to his Excellency General Almoste, and his most Sarene Highness, the Freadent, highing is fit that as soon as possible the sending of the hree Swiss regiments contracted for by your Excellency or the service of the country should take place, (lengal crification). His Serene Highness wishes that you mimediately take all proper means for their transportation here, for which end gou are empowered to draw on the said General Almonto—to whom due orders are communicated by this date—pt to the sam of \$500,000; and in case of it not being lossible for your Excellency to obtain funds by means of such drait within suitable period, you may, with his dwice, negotiate for such amount. I take this opportunity of reterating to you my esteem and consideration, signed, Bonalia. To bis Excellency, the Minister Flenipoentiary of the Republic in France."
"I transcribe this for your Excellency for the purpose of notifying you that the subject is one of the greatest rigner, as it has been proved to me, and as is excressed by the terms of the communication to which I have called your attention, and that the communication of the law advanced funds to me. I referrate to your xicellency for the necessary amount, as well as in avor of the Commissioners of Berne on the bankers has hinster of Foreign Affairs has in reality ordered me takellency for your information and action, adding that he Minister of Foreign Affairs has in reality ordered me have the hone of Foreign Affairs has in reality ordered me

I have the honor of forwarding the foregoing to your sixellency for your information and action, adding that he Minister of Foreign Affairs has in reality overored me a deliver to the said Senor Facheco up to the amount of 500,000. Your Excellency will please tell me in reply that it has appeared proper for you to reply to Senor acteco. God and liberty. J. N. ALMONTE. F. LB ARRASCOP, Special Commissioner of the Successive government in the United States.

This letter and its transcripts give the most indubita evidence of Santa Anna's design to import three re-cents of Swiss guards, to form a special escort and otection for His Most Serens Highness; and at the tiric cannot be characterized as true in all its parts design has been, for various causes, abandoned, he design has been, for various and we only recur to the subject for the purpose of ex-biting the veraciousness of Mexican diplomatists.

Superior Court. Before Hon. Judge Slesson and a Jury. SELLING A PIANO TO TWO PARTIES.

March 20 - Broson & Field, Assignees, do. agt. William E. Imerding .- This action was brought by the plaintiffs the general assignees of Garret W. Ryckman, jr., to the general assignees of Garret W. Ryckman, jr., to seever the value of one billiard table and two chanders. The property was purchased at anothou by Ryckman, on the twelfth day of May. 1855, at the recidence Yelward H. Hudson, and paid for; the purshaser it ems obtained the consent of Hudson as allow the protry to remain in his possession a few days; then to be moved to the country of Oteego, where Ryckman was setting a hotel. Shortly after the sale to Ryckman undeen again sold the property to one Gould, who sold defendant and that neither of the last named pursaers had notice of the sale to Ryckman. It also appared in oridence, that the plaintiffs had frequently demoded the property of Hudson while it remained in his passers.

need the property of Hudson while it remained in his session.

Ir. Heavy Nicholl, of counsel for the defendant, ined, that masmuch as the property was left, by the
zinal purchaser, in the pose-selon of the siller,
rishy alterding the vendor an opportunity of deceiving
octendant, an innocent purchaser, of the same, the
intide were not entitled to recover.

If F. F. Brown, of counsel for the plaintiffs, contending the fact that there was no actual change of
seasion of the property only reindered the contract of
measure of the property only reindered the contract of
measure in the plaintiffs assumer precumpively from
ant, and cast the onus precumpt upon the plaintiffs,
thow good faith in the sale, and that the bounders

Bone as indicatify proven.

how good faith in the sale, and that the bounders is been a finiently proven. The Judge charged the jury that the only fact for m to determine was, whether the plaintlift had relied the presumption of franch made so by statuth, showing that the property was purchased by the intiffs in good faith, and without any intent to deal of the statuth of the subsequent purchasers; if so, they were entitled a vender, if not, they should find for defendant. Version plaintlifts of \$100.

THE BLACK WARRIOR CASE.

rtant from Madrid-Debate in the Span ish Cortes on our Cuban Relations

We translate from the official government organ of Madrid, the following extract from a recent debate in the and the United States:-

Madrid, the following extract from a recent debate in the Spanish Cortes, on the relations between that country and the United States:—

Sanor Rams—My purpose is to draw from the Minister of Foreign Affairs some explanation sufficients counters the effect of certain facts which have coincide with the departure from this court of the Minister from the United States, Mr. Soulé. By some respectable member of this chamber an article has been published which ascribes to Mr. Soulé the idea, or beief, that the repture of our relations with the United States is ineviable; and the pretext for such an extreme case is supposed to be the alight with which Mr. Soulé and the constry he represents have been treated by the Spanish government. Coinciding with this fact, in itself very important, a pamphle thas been published, with the express purpose of attributing to the Spanish government all the various difficuation now existing between the two governments, or, at any rate, the responsibility of not having settled them; and Mr. Soulé is so praisest in for his benevolence towards us that you would almost thick that he gave up the interest of the country herepresented. Resides, in some papers, information has been given about Mr. Soulé having received in the latter days of his stay several slights from the Minister of Foreign Affairs.

These facts have urged me to ask the Minister for some explanations. I believe that, considering the especial circumstances of the case, and the serious and immediate interest which our country has with them; since it is the only international question we have pending, it is experient to correct the effects which may be produced by the above facts. The best means of recutying public opinion, both here and in the United States, where is svery important to place it in the right, as far as it is possible, as the facts will be enhanced by distance, and as sual made iruitful by the American ex-Minister, who will be anxious, doubliess, to repair, in some measure, among his friends and partisans the fa

tions, sufficient to prevent the consequences which I anticipate.

Senor LUZURIGA, Minister of Foreign Affairs, replied—
He expressed his pleasure at the opportunity offered him to make explanations, to satisfy public opinion in Spain and in the United States. He denied any slight from mutives of courtesy and duty. He said he had no time to read what may have been published on the subject. He took for granted that the publications having been participated in by members of the Cortes there would be in them nothing unbecoming. That the government of the United States determined on the 15th of January to replace the Minister to Madrid. When the news reached Madrid, Mr. Soule had left, but the government of Her Majesty had learned by a perfectly regular channel the language in which it is officially announced to the Spanish Court, which is in harmony with the relations of peace, amity and good understanding which exist between the two governments. "In this state of the case," adds Senor Luzurings, "the government of Her Majesty, who, in the sight of all may now set of its own free will, from its own impulse, after having received the news, has ordered that all pending difficulties with the United States be submitted to a new investigation, instructing especially those charged with it not to seasch for arguments to reject the claims of the United States, but to study simply to ascertain what is just, in order to grant it sportaneously, freely, as it becomes the people whom it governs. It is resolved, by its own impulse, to grant whatever is just, without any pressure. The government is confident that the same feelings will be found in the government or the United States. The President announced it so to the House of Representatives, as just that his sole object was justice. We are, therefore, perfectly agreed, and since there will be, doubtless, the same sincerity is both parties, the government comment of the United States. The President announced it so to the House of Representatives, as jugitate and reason, but d

Important Postal Announcement.

THE FIREPAYMENT OF POSTAGE.

Post OFFICE, New York, March 24, 1855.

Notice is hereby given that, in accordance with the act of Congress passed March 3, 1855, from act after the let of April next letters will not be despatched from this office, in the mails, unless the postage thereon is propaid, except only letters addressed to places beyond the limits of the United States, in those cases in which such letters can now be sent without pre-payment.

Inquiries having becamme at this office in respect to the proposed disposition of letters deposited without prepayment, a letter from Horatic King. Esq., the First Assistant Postmaster General, is subjoined heroto, communicating the instructions of the Post Office Department upon this and other points of interest to the public.

ENAC V. FOWLEE, Postmaster.

Post Office Department,

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, March 22, 1855. J
Siz:—Your letter of the 20th inst. is received. In answer, I am directed by the Postmaster General to inform you—

1. The act of 3d March, 1855, making no provision for unpaid letters to pinces within the United States, on the same or day tollowing any such unpaid letter or letter.

1. The act of 3d March, 1855, making no provision for uppaid letters to places within the United States, on the same or day following any such unpaid letter or letters being put into a Post Office, the Postmaster thereof will post up conspicuously in his office a list of the same, stating that they are held for poetage. If not attended to, such letters must be returned monthly to the Daad Letter Office.

2. Letters part paid should be despatched, charged with the additional postage due at the prepaid rate, according to distance, established by said act, except where the omission to pay the correct amount is known to have been intentional, when they should be treated the same as letters whenly unpaid.

been intentional, when they should be treated the same as letters whetly unpaid.

3. It is proper to forward a letter when requested, in writing. When forwarded, no additional postage should be charged if the letter, contrary to its address, has been missent. If it has been sent according to its address, and then forwarded, it must be charged with additional postage at the prepaid rate, according to distance, established by the act of March 3, 1855, aforesaid.

4. Ship letters, as they cannot be pre-paid, and are not supposed to be embraced in the new act, will continue to be despatched agreeably to the provisions of the fifteenth section of the act of March 5, 1828.

I am, respectfully, your obedient servant, HORATIO KING, First Assistant Postmanter General. ISAAC V. FOWLER, Postmanter, New York.

SPIRITUAL AND PHYSICAL.—Frederick Peck, colportear, a Saturday, called at the house of a German basket maker, named Wigent, residing in Graham avenue, for the purpose of leaving some tracts and spiritual advice. Winent, very ungenerously, it is alleged, became en-

FRONE HOUSE LOAVERS .- On Saturday night Sergeant Sterret and officer Morris of the Fifth District police, agressed two engine runners, named Marc M'Ford and Wm. Holmes, who had bunked in the house of Engine Co. No. 10, for the night. Thry were lecked up.

Light Wingirs.—On Saturday, a grocery keeper named Boyle, doing business in Grand street, was sued by the recyle, co.Dg business in Grand street, was such by the scalers of Weights and Measures, before Justice Jacob 1. Fenn, to recover the penalty incurred by using light weights. James Smith, one of the scalers, made an afficant that he regulated the weights in Boyle's grecory, and a few days afterwards, on going to the store the second time, found that the weight and again been altered, so that they were much lighter thas they should be. The case was adjourned to Saturday next.

GEARM LARCHNY.—On Saturday neat.

GEARM LARCHNY.—On Saturday, Sergoant Secret and
officer Morris, of the Fifth district police, arrested Mary
and Michael Bean, and Thee. Mooney, on a warrant
charging them with stealing wearing apparel, valued at
250, from Robert Green, 66 North Seventh street. They
were held to answer.

Since the enforcement of the Sunday law, the keepers Since the enforcement of the Sunday law, the keepers of many of the porter houses close up the front doors, and hence open the side or back doors for their custo-mers. Topping is conducted with caution and modes.

THE INDIANS OF MICHIGAN. Commissioner Many

Total.

Total.

Total.

Total.

Total.

The lake Superior Chippewas in some villages have schools and churches, and the usual accompanions of citi red life, dress like the whites, cultivate the self, appreciate the value of money and other property, are keen and mtellipout, and in many cases read and write their rative tongue and our own language also. This, however, is not the case with all of the larger tribe; a majority are in a transitory state, and the balance degraded in the extreme. The missionary and achool reports upon the condition of the largest part of this people give poor encouragement as regards progress, and it is to effect a charge in these matters that this "conventional arrangement" is contemplated, and the appropriation by Congress is made.

THE ACADEMY OF MUSIC, under the new direction, bids fair to prosper. The company is full and efficient, and the Italian Opera certainly was never given here with so much attention to detail in the essentials of costume. scenery and properties. There will be no performance this evening, but on Wednesday "Maria di Rohan," which created quite a furore on Friday, will be repeated, with Steffenone, Vestvall and Bediali in the principal characters.

chutz'' was produced on Thursday to a crowded house. Miss Caroline Lehmann made her debut, and a very successful one, as Agatha. This opera will be given on Tuesday.

Paront is expected to arrive here shortly, to join the

allied forces at the Academy.
At the BROADWAY THEATRE Mr. Forcest comm. n engagement last Monday, and has played Hamlet, Richelieu, Othello and King Lear to good houses. On excess. This evening Mr. Forrest will play Othello-

by Madame Ponisi; Emilia, by Mrs. Abbott.

At Burron's TREATER the chief novelty during the week has been the appearance of the new comedian, who has played twice, and made a favorable impression. This evening "John Bull" will be given, with Messrs. Burton, Hall, G. Jordan and Mrs. Burton, in the prin-

Mrs. Stephens had a good benefit on Friday. This even-ing, Colley Cibber's comedy, "She Would And She Would n't," is to be played with a good cast, including Messrs. Blake, Lester, Brougham, Dyott, Mrs. Grey, Mrs. Stephess, Mrs. Brougham and Mrs. Conover.

At the BOWERY THEATRE this evening Mr. E. Eddy commences a short star engagement, and plays "Ham-let." The after piece is "The Avalanche," a drama from the French. The version to be given at the Bowery was written for the Surrey Theatre, London, and had quite a run there last season. Mr. R. Johnston plays the principal part. At this house, on Thursday night, Mrs. Woodward, a very pleasing actress, will take her farewell benefit, previous to retiring from the stage. Mr. Charles Fisher, Mr. E. Eddy, and other favorite artists. tists, will appear on this occasion.

At Barnum's Museum "Love's Sacrifice" is the prin

cipal attraction for to-night. Mr. C. W. Clarke, Mr. E. F. Taylor and Miss Mestayer enact the leading parts. At Machanics' Hall, No. 472 Broadway, a good bill, including the farce of "Black Blunders," is announced

for this evening.
AT CHINESE HALL, No. 539 Broadway, to-night, Doni zetti's opera, "The Elixir of Love," will be given in re-gular African style by Buckley's Minstrels; also a pleas-

ant concert programme.

THE DRAMATIC FUND BALL.—The programme for the tableaux at this affair, which will take place at the Academy of Music on the 10th April, has been published. It includes tableaux vironts from ten of Shakspeare's plays, and the characters will be represented by about fifty of the most popular actors and actresses at our city theatres. The ball will undoubtedly be a brilliant affair. The directors have hit upon a very sensible plan for the celetration of the anniversary of their institu-

Philadelphia.-A new domestic drama, called "Char ty's Love," has been produced at the Walnut. Miss Fanny Vining played the principal part. At the Chestnut a dramatic version of Bunyan's "Pilgrim's Progress" has been produced with success. It is said to be a very good play, and will, we presume, rank with any of the (so called) moral dramas which have preceded it. Mr. Mur cock commences an engagement at the City Museum to-night. Mr. Brougham's drama, "Night and Morning," is underlined at the Arch. Mrs. A. Parker succeeds Mrs. John Drew in the leading business for the remainde of this season.

Bosron —Mrs. Hayne commenced an engagement a the Boston theatre last Monday. On Wednesday, Mr. E Sargent's play, 'The Pricatess,' (based on the opera o "Norma,") was played for the first time. The Courier says "the play, as a literary production, will survive

saya "the play, as a literary production, will survive its popularity on the stage. The same paper says:—
The "Priestess," every body supposed, would be the chief attractive, engossing character of the play; but it was not so last night, and never will be—in Mrs. Julis flayne's juvenile reduction of the part. It was surely contemplated by the author that it should be a transcradent character in the play; but the lady's conception of it was far from being transcendent. There was a lack of royalty in her mein, and the high nobility was wanting. It is a character demandiug physical energies, scope of intellect, visage and power of expression to portray it truly, which Mrs. Hayne does not possess, and in the absence of these necessary endowments in a tragic actress it seems a little strange that she should have haracted so elegant a play by assuming the chief heroine in it. Mrs. Harrow could have played it better, and so could Mrs. Hudson Kirby. A Bruidhigh priesters—Mr. Sargent's high priesters—is something more than medicerity; she is a woman far above the ordinary rank of her sex, clse how could sing inspire caloration —but Mrs. Hayne does not seem to appreciate this. We say it with regret, that it was unfortunate that so dim a aubstitute was placed in a position where so much of ordinary are filliant acting was demanded. The tunate that so dim a substitute was placed in a position where so much of crilliant acting was demanded. The scholarly performance of Mr. Bennett helped to awaten the audience to a realization of the defects of Mrs. Hayne's Priestess. It was only in the fourth and dith acts that she did anything worthy of partial praise.

The Times cays there was only a two-third house Everybedy, including the author, was called out. He made a speech. [For plot, &c., of the "Pricatess," see the Poston letter] At the National theatre, F. S. Chan-fran was announced to play on Monday, but the musicians "struck" for three weeks' salary due them. t was not paid, and an orchestra from New York was obtained. The house was closed during the week. At the Howard Athensum, Mr. and Miss Charles commenced a star engagement, playing Irish and Yankee pleces on Monday. ALBANY .-- Miss Mackeab has been playing here during

the past week. She goes next to the National theatre

EALIMORE.—A series of English operas have given at the Holiday street theatre. Mr. Fraser, Mus-Rosalie Durand, Mary Ann Ganton, and Mr. Lyster are the principal singers.

Wassington .-The People's theatre is open, with Mr

Charles Walcot as the star.

Hartrond, Cr.—The theatre here is open under the

management of Mr. Wyatt. Stage manager, J. J. Prior Paul Julien gave a successful concert here last week. Provinces.—Mrs. Farren is still playing here, supported by J. H. Oxley in the leading male characters. COLUMBUS, GA .- Mrs. Charles Howard commenced ar

egagement here on the 12th instant.

S.S.FRANCISCO..."Macbeth", had been produced at the American, with Mesers. Sedley, Neadle, Hann and Havan, taking the part of Macbeth by turns. Mr. Nearle had a benefit on the 27th of February, when Barney Williams and Mrs. Barney Williams played for him. The Metropolitan was opened occa-sionally for opers. Barili Thorne's benefit was an-nonneed for the lat of March. Miss Louisa Mowbray, snounced as a " popular actress from the Arch street theatre, Philadelphia," was announced to make her first appearance in California on the 1st of March. Miss . M. Davenport had not arrived at the last accounts heatricals were in a bad way altogether. Mrs. Pelby's

wax statuary had been sold at public auction. CALCUTTA -At the last accounts Miss Rate Hayes had created quite an excitement among the discillents of Hindostan. A full account is given below.

Operatic Troubles in Hindostan

Our Sies of Calcutta papers inform us that Miss Cath erine Hayes had arrived at Calcutta from Australia, and given her first grand concert at the Town Hall on the 16th January. On this occasion she was assisted by Mr Lavenu and Mr. Van Gelder. The programme included a quintette by amateur instrumentalists: "Ah! mon file," "Casta Diva," " Happy Birdling," and " Kathlee; Mayourneen" by Miss Hayes; two builto songs by Mr Avenu, and various instrumental performances by Van Gelder. The prices of admission were 15 rupees (\$6 (8)) for reserved seats ; 10 rupees (\$4 60) for admission with

out reserved seats.

The arrival of Miss Hayes created a great excitement. She was the first prime donne assolute who had ever visited the Hindoos, and general complaint was made of visited the Hindoes, and general complaint was made of the prices. One correspondent of the Englishmon says. Most Hayes has not come out to india to astonish all classes. She has presented herself in this city of palaces for the few and the aristocratic—her prices are saided to them, and to them she will only sing. It would be well for Miss Hayes to reconsider her prices, and sait them to the meas of all classes, if ahe really wants support. It is a question whether most people would not rather resubscribe to the Patriotic Fund, towards the widows and the orphans of the heavy soldiers who have failed in the struggle with Russia, than give in to Miss

Hayes' unprecedented exerbitancy. It is lamentable that she should be so ill advised. But it seems that Miss Hayes did very well, and gave

another concert, which the Englishman notices, saying that the Governor General patronized it. On the 17th there was another concert, thus an

On the 17th there was another concert, thus anneanced:—
Unprecedented combination of takent.—First grand concert of vocal and instrumental music, to be given by Madame Charisee Cally, torenerly prima donns of the French and Italian Operas; Madame Desiree Frery, first premium of honor on the violin, of the Royal Conservatory of Brussels and Mr. C. U. Frery, the celebrated paniet from Paris, on Weinesday, the 17th January, 1854, in the lower room of the lown Hall, which will be entirely carpeted for the occasion.

The prices were lower than those of Miss Hayes, viz.: single ticket 5 runses. (23 68.) double ticket for lady

single ticket 8 rupees, (53 68;) double ticket for lady and gentleman 12 rupees, (55 62;) and two rupees extra for reserved seats. The programme ends with the loyal cry "Vivant Regima et Princeps!" which was omitted from Muss Hayes bill.

This troupe came from California, and one of the Calculus within any angles and the Calculus within a series.

cutta writers says;--

cutta writers says.—
Of the party now on a visit to us under the direction of Monsieur Cailly I. on able to speak in more decisive terms. Those who were in Calcutta some ten years ago cannot ferget Mademe Cailly, who arrived with a French company, of which she was prima doma, and made her first appearance in the Sans Souci theatre in "Lucia de Lammermoer." It will be remembered that she possesses a soprano voice somewhat above the ordinary range, though perhaps it sould accarcely be considered an alto soprano. She was then remarkable for deep expression, rapid and brilliant esecution, and perfect correctness of intonation.

But it appears that the musical public of Calcutta once, and a very sensible, practical suggestion is made by a correspondent of one of the papers. He proposes that the Hayes and Catlly companies should coalesce:

that the Hayes and Cally companies should coalesce; but says...

I imagine that the presence of Madame Cally may prove some interance to the proposed coalition; but as she would be likewise a gainer in purse, she might surely take a place in the "tableau vivant," which would render the "whole" harmoniously attractive. A word to Miss Hayes, or the party benedicially interested in her performances. She or he will soon discover that "free trade" in all things is the order of the day; that "free trade" principles are identical with low prices, and that "low prices" pay, while high prices lose.

A primar doma in a tableaut vivant! Where we all the

A prima donna in a tableaux vivant! Where are all the missionaries who have been sent to India? Free trade in music! Political economy, trills, roulades, shakes and cadenzas! What shocking barbarians the Calcutta con-

Another critic accounts for the decline of musical taste in Calcutta by the "Philbarmonic Society, which allured the genius of harmony from the Town Hall to the exclusive aristocratic circles, where for want of free ventilation, "cribbed, cabin'd and confined," she has

SUPERIOR COURT—GENERAL TERM.

Before Justices Oakley, Bosworth, Slosson and CampbellManus 24.—Max Mareteck and wife, appellants, against Ole Bull, respondent.—At the opening of the court to day, Messrs. Sandford and Billings, counsel for appellants, moved in the appeal taken from the decision

made at the special term, discharging the attachment Mr. Sandford, in opening the argument, contended that although the contract upon which suit is brought should be held by the court to be void, yet, as a princi ple of law, where a wite contracts and performs services, the husband can recover under it for those services, that the allegation in the affidavit that the sum of \$300 was due, entitled the defendants to recover under the quantum meruit; that one of the supplementary affidavits showed that Mrs. Maretzek had authority from the husband to perform for her own benefit, and that this supplied any defect in the first papers; that defendant closing the house gave plaintiffs a right to sue, although no sum would have been due otherwise, that the plain-tiffs were not bound to state the grounds of their claim particularly in order to obtain the attachment. Mr. S. in a most carnest manner called upon the court to reverse the decision at special term, upon the grounds before stated, upon each of which he commented at length.

Mr. L. E. Bulkeley, counsel for the respondent, Ois Buil, said it was due to himself to state that he did not draw the contracts upon which this suit a brought; that they were forced upon his client before he had been called into the opera affairs as counsel; that they were drawn up by Mr. Watson, a friend of the plaintiffs, who, it was evident from the contract itself, was no lawyer. He would not comment upon the manner in which Mr. Builf signature was obtained, as it did not appear in the papers which had come up from the special term for review. He felt bound to take every legal exception that existed, because he considered this form of proceeding spainst a man of the character and position of Mr. Builf accontentially be proceed to enforce her claim. He then proceeded to review the argument of plantiffs counsel as follows:—I am at a loss to know where my learned opponent finds any law authorizing a person to recover unner a void contract. Suppose, as the gentleman contends, that Mrs. Maretzek his performed services, does that give her counsel the right to declare upon a blank paper to recover them: Will it be presented that she coulad declare upon a promissory note, and it in a promise to recover under a void contract. Suppose, as the gentumen contends, that Mrs. Maretzek has performed services, does that give her counsel the right to declare upon a blank paper to recover them: Will if the presented that also could declare upon a promissory note, and them in the next paragraph set forth "a promise of note, as the grounds of her claim." Would the allegation into a stillability: "that the sum of \$300 was due thereon," upon which the counsel has hald so much stress, entitle her to recover under that paper. The statute prescribes that in an application for an attachment the plaintiff shall set forth the grounds of the claim if it means anything, it means that the real grounds shall be stated, and that they shall in themselves, as stated, be sufficient. Admitting, as counsel contends, that there did exist an understanding between Maretzek and his wife, that she might perform for her own benefit, that does not cure the vital defect in the contract, viz. the inherent disability in the wife to make the covenants therein contained, or to perform them who made. It was in the power of the unstant with which will be recovered the respective to the performance of an opera and no matter what the damage might be to the defendant; he was without remedy either as against the huishand or the wife. Where mutual covenants are entered into between parties, unless both are fire from any legal drashility to make them, and unless it is in the power of each to enforce them against theother, both of the covenants fall. Counsel said there were averalauthorities cited on his point, which he sould hard up to the Court, and he could not take up time in reading them, nor old he think his opponent would pretend to deny that such was the law. The allegation that the sum of \$300 was due does not entitle plaintiffs to recover under the quarkem mervil, because it reforts to the contract and states that this sum was due thereon. The affect that the allegation in the affect in a service of any form of the form of the form of the for

house. Plaintiffs' counsel followed with a brief argument is reply, by reading supplementary afficavits of Max-Marcherk his brother, wife, and one signed by a large number of other persons, which attack that they did not know that defendant resided at the New York Hotel. The Court took the papers—decision will be given on

United States Commissioner's Court.

The Roberty of Flour at the Allestic Docks, Breeklyn—We are requested to state that the Mr. Young mentioned in the report of this case on Esturday, as one of the persons to whom the flour was carried, is no lift. Young of the time of Young, Moore & Sons, 104. However, The flour was in the possession of that firm when stoken.

Ligarin.—The new pilothest Edwin Forest will be beenched at four elelock this afternoon from the part of Messers. Westerwest's Sons & Co., foot of Remilion street

Attivals.

At the Meleopolitan Holel.—Hen 7 Novel, Wherenis, W. Is Sandford, Manachbusette, Thurre U.S. Army, Cara M. C. Kuges, engineers, Washington, Jun Ross, Canada, G. W. Achrens, Louisville, J. N. Markham, Kombocky, H. S. T. Butter King, Georgia, J. H. McClene, do Sammel Brancas, St. Francisco, Roy C. Van Renisquay, Nov Josepy Julius, San Francisco, Roy C. Van Renisquay, Nov Josepy Julius, Sandro, B. Rayry of Brusswick, W. Mplimest, Science Army.

down for the eyer and reminer, commencing our time first Meeday of April. This list does not embrace these connected in the Proofe affary. There is also one person to be tried for arrow in his first degree, the punishment for which is death.

(From the Simday Courier.)

NEW SYVER SF CRITICEM.

We publish the following piece of philosophical and eradite criticism on Mr. Farton's performance of Villitins and his blingh for what it is worth, which, we must confees, is not much, with the simple statement that it was need to this edition, though we shouldn't be surprised to learn that it was intended for "a resonaing journal" a little higher up in the same street.

Ms. William E. Berrow's Viranum and his blinds, content the time of Christ, there was born a mass in the lard of Ur. Some years afterwards there was born amother man in another land—for turther particulars consult the Penny Gyelopedia, which will tell all about it; and then came the immortab Knox, amouster of the hatter, so called from his dealing out such hard knocks to the scarlet aboutination of Babylon. He died, and she, having a soft heart and a semimental fancy, married the barber; the bright and ghrimus ideal; therefore, of Dinah is associated in the stind of the tunder and philosophical student of humanity with Dians of Ephesus and Alexander the silversmith, or bemetrius the coppersmith; gloriously, brightly, beautifully vivid as the ambient paris dropping from the amental fancy, married wisons of young ambition, and, with its eager oye Ared on the future, sees only the raisbow time which separate he plantic imagination yield situed to the golden wisons of young ambition, and, with its eager oye Ared on the future, sees only the raisbow time which becample the glorious sky of our immortal hopes. The Dinah and his Villiams of Mr. Berton may possess a certain charm for the Virginia Know Nothings, or even for the Tom Hyers and Fernando Woods of a coarse and release the production of the great variety of dialects and isniest, and mind, is not the drea

christe scene in Toodles. The subject will be continued weekly until further notice.

THE POWER OF THE PRESS.

There is no use in attempting to fight with the press; there is no use in attempting to fight with the press; there is not an instance anown in history of anybody ever succeeding; but, in this country, where the press is comparatively free, the man is a dunce who has the presumption to put himself is opposition to this power. As another instance of caving in to the power of the press, it is stated that the managers of the Academy of Music in Fourthenth street have caved in to the Braato, and given its editor and proprietor a single box for his own private use. [Not true.] They have shown their goot scace and a just appreciation of the power of the press by so doing, and of course they either have, or will, appropriate the other five balcoay boxes to the use of other editors. We hope they will not put the editor of the Tribine mext to the Harato, as those wor thiss might get into a light and disturb the audience if they were too near together. They should be placed in opposite boxes, or that they may be able to look each other full in the face with their capers glasses.

The six balcony boxes then will be occupied, as a matter of course, by the editors of the Heruid, Tribine, and the suddence will enjoy the planaure of seeing the distinguished gentlems or "the staff" of these popular sheets, which their editors injustly. As for the rest of us, we shall have to be content with the best seats in the parquet or the first circle, unless the managers of the Academy should determine to make a sufficient number of private boxes to be able to give one to each paper. The Tribine and the Tones will feel themselves highly honored by the distinguished consideration with which the managers have treated their great trust.

A TENDER HEARTED JUDGE.

the managers have treated their great rival.

A TENDER HEARTED JUGGE.

On Friday hast, Recorder Smith sentenced Kissane, the forger, to two years and a half in the State prison a very moderate punishment for the offence of which he was convicted. But Kissane made a feeling speech, and shed tears, and the soft heart of the Judge was touched. He sisted that he intended to have pronounced a severe sentence, but he was modified by the prisoner's eloquence. Riseane thanked his honor kindly, and there was quite an affecting seene. The forger laid all the blame of his ill conduct at the door of that advisers, and we have no doubt but he was heartily sorry for his crime, as most rogues are when they are detected. We do not consure the tender-hearted compassion of the Recorder, but we apprehend that it will be cause of a good many silecting assectice being made by the future crudi-

do not censore the tender-hearted compassion of the Recorder, but we apprehend that it will be cause of a good many affecting speeche being nade by the future crudinals who are brought into his antiable presence to receive their sentence. It is a dangerous confession for a criminal judge that he was induced to mitigate a scatence by an affecting speech from a convict.

[From the Sonday Ilmes]

THE KISS ANE CASE.

The jury in this case set the connect an excellent example, for they rendered their variest after five minutes deliceration, when the counsel were four hours in summing up. This long talk from gentlemen of the long rose is sheer fuss. Lord Abinger, when a berister used to say that a counsel who spoke more than an hour to a jury, deserved to lose his suit, and we have real somewhere that it was said by an excellent Philadelphia lawyer, "I either have a good case or a bad one. If a good one, if don't need a long speech—if a bad one, the less I say about it the better."

New York policemen can take the paim from Western ones. They have apprehended the great acquitted of the "Martina Washington" case, and put them successfully in quod. Our tenders have not forgotton that case—a most stupendous frand resulting in murder. Messrs, Kiszane and tole, with divers others, managed to callude with the officers of a Western steamer, and have sham bille of lading to back up sham invoices of goods shipped from Oncinnati to New York via New Orleans and the packets. The boat had a bonafide cargo, and when she went oil, looked very Elmon parists. The "sham" cargo had been heavily insured in divers parts of the United states. When the boat was about opposite Arkansas, on her downward trip, she was set on the insurance companies were made and paid. There were many persons cogaçed in this arroot conspiracy, however; and as is a usual, they fell to quarrelling, and thus many of the diabelical contrivances leaked out. Some of the party were indicted at Chicinnali, but were acquitted on trial for want of extence. Fabsequently, ing the passengers by means of siring the boat. But in his case, too, encous followed the regues; for the State Conrt ruled it had no purisdiction of the burning on the

Mississippi river.

THE IMMORTAL PROCES.

Fools is to have a monument—his is to have a culory—caps are to be named after him—is portral adersa shop windows—be will have ships as steam bosts called in his name—come new Tennyaos at write for him "its Missoulik." Meanwhile the low-is old are giving him a lift, and not the least of them properties the following:—

MILLIAN FOOLE IN A MICH A MILLIAN OF THE CALL OF THE PROCESSION OF THE PROCESSION AT THE CALL OF THE PROCESSION AS THE CALL OF THE CALL

MILLIAN POOLS IS A MADE WINDOW OF MILLIAN POOLS IS A MADE WINDOW WINDOW POOLS IS A MADE WINDOW DESTRUCTION OF THE POOLS IS A MADE WINDOW DESTRUCTION OF THE POOLS OF WHAT THE ATTEMPT OF THE STANKIS HALL THE MADE WINDOWS OF WHAT THE METAL WAS A MADE TO BE A MADE TO THE POOLS OF T

Research continues to dilute the Pauly Times with his relative to allow to conference or remarkable clemency to allow to column room. He ladies out bears in there were brains to supply them instead of barren fences. If Karope is to be freed only themed the will be long ensiated. Itsele, and not words it.

Jersey City Intelligence.

When Nominations. On Saturday excelling the while of the Taird ward of Jersey City met in the achoolature n Mercer street, and nominated Samuel Whitlack and Lowis V. Cobb for Aldermen, to be roted for at the charter election, on Tuesday, the 19th of April.

Duranter Amonaum.—The monalization of Poter Sentley

Director Arrowant.—The nomination of Prior Remark, as Public Proceedings for Hudson county, in the place of Gen. E. R. V. Wright, whose term of office has expired, was rejected in the Senate of New Jersey on Friday last, by a vote of 12 to 6. It is charged that Mr. Heating was a ree sollier in 1808, on which ground objection is made against his receiving the office. A political war form also explor to the very size of the Constitution of the Virginia of the Wright who were rival candidates for Governor for the present form of that office.

Coroner's Inquest.

Yesterday Coroner Hilton was called upon to hold om-inquest at No. 92 West Twenty Sixth street, upon the body of Mrs. Mary Girard, wife of Edward Girard, Jr., who was found dead in her bedroom on Saturday eve-ning, with her throat cut. It appears from the testimony taken on the inquest, that the decased had for many mouths past been laboring under nervous fits of excitement, that she was in a state of pregnancy, and of late had been so much affected that her husband became periously alarmed for her safety. On Saturday morning the decessed appeared in much better spirits than usual and about 12 o'clock M. she told the servant girl that she and about 12 o'deck M, she told the servant girl that she was going out to take a walk, as the day seemed a very fine one. This was the last time deceased was seem site. About 0½ o'clock Mr. Girard, returning from his store down town, inquired for his wife, but the domesties declared they had not seen her alace they had heard her determination to go out and take a walk. Thinking probably that Mrs. Girard was in mer bedroom her husband proceeded thither, but found to his actos is humont that the door was locked on the inaide, and that no voice answered him from within. Fearing that something serious might have happened, the door was forced open, when to the horror of the dusband, his wife was found lying dead on the floor weltering in her blood, with a rasor beside her. The bedy, upon axamination, was found to be perfectly cold; so the presumption is that the deceased ommitted suicide at an early hour in the afternoon. The deceased was the widow of a Mr. Kelly previous to her marriage with Mr. Girard, and was near her confinement when the rash act was committed. There can be no came assigned for the commission of the suicides other than temporary ineality, and the jury on hearing the tessimony in the case rendered the following verdict: "Suicide by cutting her throat with a rasor, while laboring under a temporary fit of insamity." An aunt of the doceased committed suicide in the same manner some years ago; and, although Mrs. Girard never threatened to destroy herself, still it is supposed that a deep impression was left on her mind by the rash act of her relative. The deceased was a beautiful woman, and her death will be deeply lamented by her husband and a large circle of numerous friends and acquaintances. Mrs. Girard was about twenty awen pears of age, and was a native of Massachusetts. The inelancholy affaith accreated a great dead of excitement in the upper part of the city, where the deceased has resided for many years. was going out to take a walk, as the day seemed a very

DESTRUCTION OF AN OIL AND CANDLE MANUFACTORY ME FIRE —The extensive oil and cardle manufactory on the corner of Gold and John streets was entirely destroyed by fire yesterday morning, together with the machinery by fire yesterday morning, together with the machinery and materials, both raw and manufactured, contained therein. The building was of brick, three stories in height, and covered an area of eight lots, fronting on foold street. It was owned by an association of individuals, under the title of the Phoenix Oil and Gandle-Works. The president of the company is Mr. Charles. A. Coe, of New York. The fire originated in the pressroom, which was situated about the centre of the range, and from whence the fire communicated to the eil and other inflammable substances, and soon enveloped the whole building in one wast sheet of flame, which illuminated the atmosphere for miles attracting thither people from all quarters of the city and from New York. The fire empanies of the Western district (Brocklyn) and Eastern district (Williamsburg) all turned out and excreted themselves in staying the progress of the flames, which for a time threatened an extensive conflagration. The great heat prevanted the flemen from working on the burning structure with that effect they otherwise would have done, and so directed their attention towards saving the property on the opposite sides of Geld and John streets, in which they succeeded admirably. A small tensement on John street, owned and occupied by Robert Hallpenny, was damaged to the extent of about 2000; and a building used as a store house, on Geld accompletely demolished. The lone is estimated at about 500,000, and the agent is of the opinion that it is insured for nearly the full amount in New York and Recoallym offices. The cause of the fire is not known. and materials, both raw and manufactured, contained

CITY COURT OF BROOKEYN—Judge Culver presiding— The Custody of a White Child Demanded by a Negro Mo-ther.—March 24.—A little girl, called Elizabeth Hart, aged ther.—March 24.—A little girl, called Elizabeth Hart, aged about thirtsen years, was brought before Judge Culver on a writ of habeas corpus, sued out by the mother, a colored woman numed Elien Allen, who demands its custedly. The girl presented an interesting appearance, was well and neatly drawed, and bore no visible traces of her African origin. Her features are regular, her complexion as fair as most white children, and her hair is straight and of a darkish outer. The statement of the mother presents some interesting particulars. It appears that she was formerly a slave in Mastasippi, and was owned by a white man named Butler, who, she alleges, is father of the child. Some thirteen years alice he set her free, after discovering that one was enclosed, and and there to New York. She subsequently removed to Brooklyn, where the child was born. She took care of it for about two years, when she gave it in keeping of a family named Hart, agreeing to pay a certain sum per month for its support. She paid the sum agreed upon regularly seabout two years, when being taken sick she was no longer able to pay. The child, in the meantime, was well taken care of and was known by the name of Elizabeth Hart, which name she still retains. Some time after the mother's recovery from her ilinese she married a man named Allen. The child having arrived at the age of five years was given in charge of the new York Commissioners of the Almahouse, the people being ne longer able to keep it, and was by them bound out to Mr. and Mrs. Vale, of Fortieth street, New York, without the knowledge, and consequently the consent, of the mother, who was kept in ignorance as to us custody for seven or eight years, although she had made carnest and repeated inquiries, but always received evalve and unsatiafactory answers. She was at length informed, however, that it had been given to a taking in New York, who moved to Rochester, and that the oblid was well taken care of . Upon this information the product have had consented to find the mother of the

and left the courf, apparently satisfied.

PAR FOR THE ALDERSEEN.—A memorial, signed by the majority of the Brookyn Camuson Council, praying for the passage of an act by the Legislature to make the office of Alderman a salaried one, has been transmitted to Albany. The compensation asked for is \$4 per day for regular meetings, and \$5 for committee meetings.

SENTYMME IN THE CITY COURT.—Mathias Gunderon, convicted of an aggravated assault and battery upon Adams Lower, on board the schooner Waks, come time since, was, on Saturday, centenced to one year's imprisonments in the penitentiary, and to pay a line of \$100.

Police Intelligence.

Yesterday, officer Barris, of the Ninth ward police creeted Patrick Curran, of No. 185 Greenwich street, on a charge of having assaulted a boy named Patrick Mac tin, about twelve years of age, in a serious mauner The complainant states that while he was shringking outside the door of the accused, the latter rushed out a the house, and, striking him with his hand, knocked him down, and then kicked him in the lower part of the down, and then kicked him in the lower part of the abdomen, inflicting a severe rupture. The boy was conveyed to the Ninth ward station house, in great agony, where he was attended by a doctor. The boarded, or being brought before Justice Bremsan, at the Second District Police Court, Jefferson market, was field to bell in the sum of \$100 to answer the charge. Curran anys that he was lying sick in bed, and being seerly analysed by a crowd of boys outside his door, he was necessary to become at their conduct that he was led to filed the injuries on the boy Martin, not intending, at the same time, to be so evere in his chartisement.

CHARGED WITH PICKING POCKETS IN SAILEOAD CAME officer Barrain, of the Ninth ward police, charged, on the complaint of Emma Walker, of seventh etreet, with having picked from her pocket a portenounnie, confaining the sum of \$4 M, while she was riding in one of the Mghth arease cars. The prisoner was conveyed before Justice Breenan at the Second Patrict Police Court, who committed him fac-trial.

Piret District Court

PACT WHEREIGH THE SIDEWALES.

MANUS II.—The Mayer, do., of New Fork, in Herman Micher and four others.—Actions to recover penalty of five dollars each for allowing cartenes to back over the sidewalk in front of defradants' store, before re-ported. The Judge this morning gave judgment against ported. The Judge this morning gave judgment against each detection for five dollars and costs, and in design a stated that the ordinance under which these entits were brought, provides that no owner or occupant of any store or house shall permit or suffer any cast or coher wheel carriage to be driven or otherwise to pass, or go over or upon the feedpath or sidewalk opposite to such leaves or store, for the purpose of backing or unleading each carl or other wheel carriage, or for any other purpose whatever, under the penalty of the deliars for each othere. It is in evidence in each of these cases that costs were on the sidewalk either leading or unleading and that persons belonging to to the stores were siding the carliness in doing as. One of the feelbacks provided on the trail period propagate containing leading the carliness in deliar in which carts are printed to go upon the sidewalk charles of persons to the feelbacks provided to go upon the sidewalk charles of persons of receiving of differing goods. These instructions have as inclined either the ordinance in question to paramount, and must be obeyed.